IN THE CLAIMS

Please amend the claims as follows:

1.   (Original) An application execution system, comprising:

a position monitoring module;

a mobile element associated with a position capable of being monitored by the position monitoring module, the mobile element having a memory including a set of user service preferences including a first service preference;

a service broadcaster capable of being communicatively coupled to the mobile element and broadcasting a second service preference to the mobile element; and

a comparator module communicatively coupled to the mobile element to compare the first and second service preferences.

2.   (Original) The application execution system of claim 1, wherein the position monitoring module includes a software program.

3.   (Original) The application execution system of claim 1, wherein the comparator module resides in the service broadcaster.

4.   (Original) The application execution system of claim 1, further comprising:
a global positioning system receiver communicatively coupled to the position monitoring module.

5.   (Original) The application execution system of claim 1, wherein the mobile element includes a memory, and wherein the service broadcaster includes an application associated with the second service preference.

6.   (Original) The application execution system of claim 5, wherein the application is downloaded to the memory when the first and second service preferences are determined to be related by the comparator module.

7.   (Original) The application execution system of claim 6, wherein the mobile element is a personal internet client.

8.   (Original) The application execution system of claim 1, wherein the mobile element is a cellular telephone.

9.   (Original) The application execution system of claim 1, wherein the second service preference is a hotel list file.

10.   (Original) The application execution system of claim 1, wherein a plurality of list files related to the set of user preferences is broadcast to the mobile element.

11.   (Original) The application execution system of claim 10, wherein the plurality of list files is formatted as a selection list.

12.   (Original) The application execution system of claim 11, wherein the selection list includes a selected number of items determined by the position.

13.   (Original) A mobile element, comprising:

        a position monitoring module capable of monitoring a position associated with the mobile element;

        a first memory including a first service preference, the memory capable of receiving a second service preference determined by the position; and

a comparator module communicatively coupled to the memory to compare the first and second service preferences.

14.   (Original) The mobile element of claim 13, further comprising:

a global positioning system receiver communicatively coupled to the position monitoring

module.

15.   (Original) The mobile element of claim 13, wherein the service broadcaster includes an

application associated with the second service preference, and wherein the application is

downloaded to the memory when the first and second service preferences are determined to be

related by the comparator module.

16.   (Currently Amended) [[A]] An apparatus, comprising:

        a processor;

        a memory coupled to the processor for receiving a position and a first service preference

associated with a mobile element;

        a memory coupled to the processor including a [[a]] second service preference associated

with the position; and

        an application associated with the second service preference.

17.   (Original) The apparatus of claim 16, wherein the application is downloaded to the

mobile element when the second service preference is related to a first service preference stored

in the mobile element.

18.   (Original) The apparatus of claim 16, further comprising:

        a memory for receiving a set of capabilities associated with the mobile element.

19.   (Original) The apparatus of claim 18, wherein the application is not downloaded to the

mobile element if the set of capabilities associated with the mobile element is not in accordance

with a set of application requirements associated with the application.

20.   (Original) A method of executing an application, comprising:

        determining a position of a mobile element; and

selecting a second service preference associated with the application according to the

position and a first service preference retained in the mobile element.

21.   (Original) The method of claim 20, further including:

broadcasting the second service preference to the mobile element;

requesting broadcast of the application; and

broadcasting the application to the mobile element for downloading and execution by the

mobile element.

22.   (Original) The method of claim 20, further including:

storing the first service preference in the mobile element.

23.   (Original) The method of claim 20, further including:

sending a set of capabilities associated with the mobile element to a service broadcaster;

and

refraining from broadcasting the application to the mobile element if the set of

capabilities associated with the mobile element is not in accordance with a set of application

requirements associated with the application.

24.   (Original) The method of claim 20, wherein the second service preference is a hotel list

file.

25.   (Original) A computer readable medium having program instructions stored thereon for

implementing, when executed by a digital processing device, a method for executing an

application, said method comprising:

determining a position of a mobile element; and

selecting a second service preference associated with the application according to the

position and a first service preference retained in the mobile element.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111
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26.   (Original) The computer readable medium of claim 25, wherein the method further comprises:

    broadcasting the second service preference to the mobile element;

    requesting broadcast of the application; and

    broadcasting the application to the mobile element for downloading and execution by the mobile element.

27.   (Original) The computer readable medium of claim 25, wherein the method further comprises:

    sending a set of capabilities associated with the mobile element to a service broadcaster; and

    refraining from broadcasting the application to the mobile element if the set of capabilities associated with the mobile element is not in accordance with a set of application requirements associated with the application.